

436
87-26-A

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to permit an accessory structure (satellite dish) to be located on the roof in lieu of the required rear yard.

NE 9C
3C
E.D. 9
DATE 8-25-86
200
1000
DP

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Small rear yard prohibits placement there. Property is adjacent to a playground and I want to prevent the possibility of vandalism to the dish if placed in the rear yard.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

ALVIE TRUXAL

(Type or Print Name)

Signature

(Type or Print Name)

Signature

8607 OAK RD. 668-9453

Address Phone No.

Baltimore MD 21234

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day

of June 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of August, 1986, at 10:00 o'clock

By *Carl J. Jolly*
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING

DATE 8/1/86

BY *Butte O. Robinson*

87-26-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 24th day of June, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner *Alvie Truxal*
Petitioner's Attorney

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

IN RE: PETITION FOR ZONING VARIANCE
E/S of Oak Road, 94.33' N of
the c/l of White Oak Road
(8607 Oak Road)
9th Election District
Alvie Truxal
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-26-A

The Petitioner herein requests a zoning variance to permit an accessory structure (satellite dish) to be located on the roof of the existing dwelling in lieu of the required rear yard.

Testimony by the Petitioner indicates that the rear yard of his inside group town house is too small for the placement of a satellite dish. In addition, the potential for vandalism from users of a nearby playground is a concern. The dish, which measures 12 feet or less in diameter, was installed a year ago by Summit Satellite on whom the Petitioner relied for proper permit and installation procedures. The dish is placed on the rear slant of the roof, no more than 12 inches above the roof's surface. There were no Protestants.

After due consideration of the testimony and evidence presented, it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, it is determined that the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore this 7th day of August, 1986, that the herein request for a zoning variance to permit an accessory structure (satellite dish) on the roof, in

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DATE 8/1/86

BY *Butte O. Robinson*

accordance with the plan submitted, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

- 1) Any future dish shall be no more than 12 feet in diameter, installed no more than 12 inches above the roof's surface and placed no higher toward the peak of the roof than the present dish.

James M.H. Jung
Deputy Zoning Commissioner
of Baltimore County



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

August 7, 1986

Mr. Alvie Truxal
8607 Oak Road
Baltimore, Maryland 21234

RE: Petition for Zoning Variance
E/S of Oak Road, 94.33' N of
the c/l of White Oak Road
9th Election District
Case No. 87-26-A

Dear Mr. Truxal:

Please be advised that your request for a zoning variance in the above referenced case has been granted in accordance with the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

JEAN M.H. JUNG
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbj

Attachments

cc: People's Counsel

DESCRIPTION FOR VARIANCE

8607 OAK ROAD

9TH ELECTION DISTRICT

Beginning at a point on the east side of Oak Road (60' wide) at a distance of 94.33 feet north of the centerline of White Oak Road and being Lot No. 4, Block 14, as shown on the plat of "Ridgeleigh", which is recorded in the Land Records of Baltimore County in Plat Book No. J.W.B. No. 14, Folio 150.

Lot dimensions are 18'x105.24'.

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By *Carl J. Jolly*
Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting 6/17/86

Posted for Variance

Petitioner: Alvie Truxal

Location of property: E/S Oak Rd. 94.33' N/ White Oak Rd.

Location of Signs: Placed Oak Rd. 94.33' N/ White Oak Rd. on property of Petitioner

Remarks:

Posted by *Matthew*

Number of Signs: 1

Date of return: 7/2/86

ORDER RECEIVED FOR FILING

DATE 8/1/86

BY *Butte O. Robinson*

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 17, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 17, 1986

THE JEFFERSONIAN,

Susan Scuderi O'Connell

Publisher

Cost of Advertising

24.75

PETITION FOR ZONING VARIANCE

9th Election District
Case No. 87-26-A

LOCATION: East Side of Oak Road, 94.33 feet North of the Centerline of White Oak Road (8607 Oak Road)

DATE AND TIME: Tuesday, August 5, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for Zoning Variance to permit an accessory structure (satellite dish) to be located on the roof in lieu of the required rear yard.

Being the property of Alvie Truxel, as shown on plat plan filed with the Zoning Office.

In the event that this Petitioner's is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, consider any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County

7/14 July 17,

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 16, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 16, 1986

TOWSON TIMES,

Susan Scuderi O'Connell

Publisher

34.00

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Case No. 87-26-A

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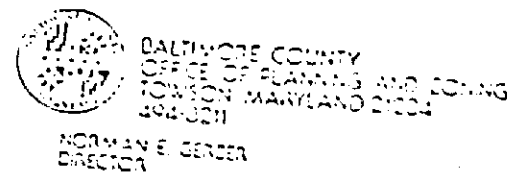
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By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County

7/14 July 16,



Mr. Arnold Jablon,
Zoning Commissioner
County Office Building
Towson, Maryland 21204

July 11, 1986

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-93 of the development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board.
- ☒ The proposed project must comply with Baltimore County Landscape Manual, 811 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by 811 173-79, and as conditions change the intersection may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments:

CC: James Haswell

Eugene A. Baber
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 9, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 436 Zoning Advisory Committee Meeting are as follows:

Property Owner: Alvie Truxel
Location: E/S Oak Road, 94.33 feet N of c/l White Oak Road
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☐ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/ is not required on plans and technical data.
- ☐ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☐ All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 107, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☐ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by site office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- ☐ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- ☐ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses. See Section 312 of the Building Code.
- ☐ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- ☐ Comments:
- ☐ These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Walter J. Chen
Director, Building Plans Review

8/5

4/22/86



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

June 3, 1986

PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Alvie Truxel
Location: E/S Oak Rd., 94.33 ft. N of centerline White Oak Road
Item No.: 436 Zoning Agenda: Meeting of June 3, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

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(over)

87-26-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

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Arnold Jablon
Arnold Jablon
Zoning Commissioner

Petitioner: *Alvie Truxal*
Petitioner's Attorney: _____
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

IN RE: PETITION FOR ZONING VARIANCE
E/S of Oak Road, 94.33' N of
the c/l of White Oak Road
(8607 Oak Road)
9th Election District
Alvie Truxal
Petitioner
* * * * *
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-26-A

The Petitioner herein requests a zoning variance to permit an accessory structure (satellite dish) to be located on the roof of the existing dwelling in lieu of the required rear yard.

Testimony by the Petitioner indicates that the rear yard of his inside group town house is too small for the placement of a satellite dish. In addition, the potential for vandalism from users of a nearby playground is a concern. The dish, which measures 12 feet or less in diameter, was installed a year ago by Summit Satellite on whom the Petitioner relied for proper permit and installation procedures. The dish is placed on the rear slant of the roof, no more than 12 inches above the roof's surface. There were no Protestants.

After due consideration of the testimony and evidence presented, it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, it is determined that the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore this 7th day of August, 1986, that the herein request for a zoning variance to permit an accessory structure (satellite dish) on the roof, in

accordance with the plan submitted, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

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Deputy Zoning Commissioner
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BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

August 7, 1986

Mr. Alvie Truxal
8607 Oak Road
Baltimore, Maryland 21234

RE: Petition for Zoning Variance
E/S of Oak Road, 94.33' N of
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Very truly yours,

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Deputy Zoning Commissioner

JMH:jbj

Attachments

cc: People's Counsel

DESCRIPTION FOR VARIANCE

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9TH ELECTION DISTRICT

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Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th
Posted for: Variance
Petitioner: Alvie Truxal
Location of property: E/S Oak Rd. 94.33' N/ White Oak Rd.
Location of Signs: Placed on Oak Rd. 94.33' N/ White Oak Rd. on property of Petitioner
Remarks:
Posted by: *Matthew*
Number of Signs: 1
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Date of return: 7/1/86

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Susan Scuderi O'neill

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9th Election District
Case No. 87-26-A

LOCATION: East Side of Oak Road, 94.33 feet North of the Centerline of White Oak Road (8607 Oak Road)

DATE AND TIME: Tuesday, August 5, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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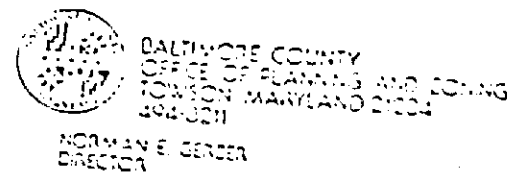
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County Office Building
Towson, Maryland 21204

July 11, 1986

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- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-93 of the development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board.
- ☒ The proposed project must comply with Baltimore County Landscape Manual, 811 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by 811 173-79, and as conditions change the intersection may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

CC: James Haswell

Eugene A. Boher
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

July 9, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 436 Zoning Advisory Committee Meeting are as follows:

Property Owner: Alvie Truxel
Location: E/S Oak Road, 94.33 feet N of c/l White Oak Road
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/ is not required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☒ All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by site office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- ☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses. See Section 312 of the Building Code.
- ☒ The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- ☒ Comments:
- ☒ These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Walter J. Chen
Director, Building Plans Review

8/5

4/22/86



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

June 3, 1986

PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Alvie Truxel
Location: E/S Oak Rd., 94.33 ft. N of centerline White Oak Road
Item No.: 436 Zoning Agenda: Meeting of June 3, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at _____
- ☒ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Kelly, 4-46*
Planning Group
Special Inspection Division

Noted and
Approved:

John F. O'Neill
Fire Prevention Bureau

/mb